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Date: October 30, 2003

Docket No.: 1215-0498P(000493-078)

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): Sherwood C. Kiernan, Jr. and Donald J. Walker,
Daniel E. STAMM, William B. Yablon and Paul M.
Dishop

For: TRI-MODE CO-BORESIGHTED SEEKER

Enclosed are:

- ☒ A specification consisting of seventeen (17) pages
- ☒ Five (5) sheet(s) of formal drawings
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27

- ☒ Applicant does not claim priority
- ☐ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). filed in on .
☐ Certified copy(ies) is(are) attached hereto.
☐ Certified copy(ies) will follow.
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☐ Preliminary Amendment
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☒ Information Disclosure Statement, PTO-1449
- ☐ Other: _____
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☒ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	27-20=	7	x 18 = \$126.00	x 9= \$0.00
INDEPENDENT CLAIMS	2-3=	0	x 86 = \$0.00	x43= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$896.00	\$0.00

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$896.00 to cover the filing fee is enclosed.

- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:
BIRCH, STEWART, KOLASCH & BIRCH, LLP **or** Customer No. 02292
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *William L. Gates*
William L. Gates, Reg. No. 20,848

WLG/mpe
1215-0498P(000493-078)

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Attachment(s)

(Rev. 09/30/03)

PATENT
1215-0498P(000493-078)

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: S.C. KIERNAN, JR., et al. Conf.: UNASSIGNED
Appl. No.: NEW Group: UNASSIGNED
Filed: October 30, 2003 Examiner: UNASSIGNED
For: TRI-MODE CO-BORESIGHTED SEEKER

REQUEST AND CERTIFICATION
UNDER 35 U.S.C. § 122(b)(2)(B)(i)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 30, 2003

Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

This request must be signed in compliance with 37 C.F.R. § 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

Docket No. 1215-0498P(000493-078)

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b) (2) (B) (iii)).**

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By William L. Gates
William L. Gates, Reg. No. 20,848

WLG/mpe
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